IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.43312 of 2008
OM PRAKASH PASWAN
S/O-Jaimangal Paswan, R/O-Vill-Semara Sagardina, P.S.-Chiraiya, Distt.-East Champaran.
.....Petitioner.
Versus
THE STATE OF BIHAR

2/ 28.11.2008 Heard learned Counsel for the petitioner and learned Counsel appearing on behalf of the State.

The petitioner seeks bail in a case which has been registered under Sections 307, 120B and some other Sections of the Indian Penal Code, under Section 25(1-b) a/26/27 of the Arms Act and Section 17 of the C.L.A. Act.

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Allegation is that the petitioner and other named and unnamed accused persons assaulted and committed various acts. They formed unlawful assembly with deadly weapon and they engaged the police in encounter. Four live cartridges and fired cartridges were recovered from the petitioner on 26.06.2005 on that very date. Other accused persons Shashi Bhushan, Hakim Singh and others were also apprehended who were also having firearms.

Submission is that Shashi Bhushan, Hakim Singh and Jahir Madari have been granted bail by this Court by different orders. The petitioner is in custody since 29.06.2005.

Considering the facts and circumstances of the case, the petitioner Om Prakash Paswan is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge, F.T.C. No. V, Sitamarhi in connection with S. Tr. No. 696 of 2005 arising out of Bairgania P.S. Case No. 63 of 2005.

kksinha/ **(Shyam Kishore Sharma, J.)**

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